

RHODE ISLAND BOARD OF EXAMINERS IN DENTISTRY

MINUTES OF OPEN MEETING

15 February 2012

A meeting of the Board of Examiners in Dentistry was held on the above date at the RI Department of Health, Beck Conference Room, Providence, Rhode Island. A quorum was established and the Chairwoman called the meeting to order at 8:51 a.m.

Board members in attendance were: Board members not in attendance were:

Christine Benoit, DMD, Acting-Chairwoman Robert Bartro, DMD

Carleton Cappuccino, DMD Louis Marciano

Henry Levin, DMD Maureen Ross, RDH

Joseph G. Samartano, Jr., DDS

Thomas Bertrand, MPH

Susan Perlini, RDH, Secretary

Robert Ricci, Ed.D

Staff members in attendance were: Others in attendance were:

Linda Phillips, Board Administrator Kerri Friel, RI Dental Assistants Association

Catherine A. Cordy, RPH Valerie G. Celentano, RI Dental Association

Patrick Kelly, RPH Kristen Cusick, RI Dental Hygienists Association

Bruce McIntyre, ESQ

The Acting-Chairwoman, Dr Benoit called for a motion to approve the OPEN Minutes of 25 January 2012. Upon motion of Dr. Cappuccino, seconded by Dr. Levin, the Board voted unanimously to accept the minutes as presented. Dr. Van Dongen remains in inactive status until further notice. Dr. Benoit shall serve as chairwoman in his absence or until a successor is appointed as specified under RIGL.

Dental Licensure

None issued

Dental Hygiene Licensure

The following individuals were issued dental hygiene licenses since the last meeting:

Alys Sawyer, RDH,

Dental Hygiene Licenses w/ local anesthesia permit

None issued

Dental Hygiene Anesthesia Permits

None issued

At this time, the new Administrator Linda Phillips advised that the

Chief of the Pharmacy Board, Catherine Cordy, would like to discuss procedural and administrative changes as the Board moves forward in the absence of Gail Giuliano. We applaud Gail's years of service as Board Administrator. Catherine Cordy stated we will continue to maintain confidentiality and the highest level of professionalism as we strive to achieve consistency amongst all professional Boards within the Department of Health.

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Dr. Patrick Kelly, Chief Officer of Compliance will also be working with the Board. We will be kept abreast of procedures used to investigate and subsequent guidelines for potential administrative actions.

The Board reviewed correspondence from the ADA seeking the Board's support of a portfolio-style exam for purposes of initial licensure. After discussion a motion was made by Dr. Samartano to table the issue until the next Board meeting in March. The motion was seconded by Dr. Levin.

We received a Legislative update on the proposed legislation that would allow one certified dental assistant to serve as a member of the Board of Examiners in Dentistry. Kerri Friel of the RIDAA, said that there was concern about having an even numbers of board members, particularly when we vote on an issue. The Board asked advise from legal counsel, Bruce McIntyre, who said that a tie vote is unusual and when this occurs, there will be a run-off vote and/or a second round of voting. The Board unanimously agreed to send a letter of support for the proposed legislation.

Regulatory issues discussed involved the need to clarify the Rules and Regulations for a Volunteer Dentist License which is in conflict with the statutory position. Legal counsel, Bruce McIntyre, stated that the status of “volunteer dentist” has time limits and is not intended for a dentist who does not have an active license to practice indefinitely. If the ‘volunteer dentist’ does not have an active license they would need to submit a letter to inform the Board that they work under the license of another dentist. The Board would require: academic enterprises or the sponsoring agency to provide a copy of the existing license they would be working under, a notarized letter from the sponsoring agency stating that no compensation shall be paid for any dentistry or dental hygiene services and that the applicant has maintained full licensure in good standing prior to being retired. At this time the Chairwoman called for a motion to table this issue until the next meeting. Dr. Cappuccino made a motion, and it was seconded by Dr. Levin.

The RI Dental Association received notification from the RI Dental Lab Association and Channel 10 regarding several dental labs providing dentures and denture repairs to the public without a licensed dentist on site. This would be in direct violation with RIGL. This matter has been tabled to the facilities investigative unit chief of the DOH, Dr. Patrick Kelly.

At this time, Catherine Cordy appointed new Board members to specific investigative committees.

She also said that both committees would meet after the full board at the next meeting. Dr. Benoit asked if there were any objections to this change. Seeing no opposition the board unanimously voted to have the committees meet after the Board meeting.

At this time, the chairwoman, called for a motion to adjourn the “OPEN Session” and enter into the “CLOSED Executive Session” for the purpose of discussing disciplinary matters pursuant to the applicable exceptions of the “Open Meeting Law”, so called Chapter 42-46-5 sub-division (1) and (4) of the General Laws. Upon motion by Dr.Samartano, seconded by Dr. Levin, the Board entered into CLOSED session at 9:53 a.m.

At this time Ms. Celetano, Ms. Cusick and Ms. Friel excused themselves from the meeting.

The Board returned to OPEN Session at 10:15 am.

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Decisions Ratified and/or closed in CLOSED Session – None

Sealing of the CLOSED Executive Minutes

The Chairman called for a motion to seal the minutes of the “CLOSED Executive Session” of 25 January 2012 meeting pursuant to Section 42-46 (1) and (2). Upon motion of Dr. Samartano, seconded by

Dr. Levin, the Board voted unanimously to seal the CLOSED minutes of that meeting as presented.

The next meeting of the Board will be held 14 March 2012 at 8:45 am in the Beck Conference Room.

Upon motion of Dr. Levin, seconded by Ms, Perlini, it was unanimously VOTED by the Board to adjourn the meeting at 10:25 a.m.

Respectfully submitted,

Susan Perlini

**Susan Perlini, RDH, BS, Secretary
RI Board of Examiners in Dentistry**